

ELECTRONICALLY FILED
MAY 31, 2007

1 STUTMAN, TREISTER & GLATT, P.C.
 2 FRANK A. MEROLA
 (CA State Bar No. 136934)
 3 EVE H. KARASIK
 (CA State Bar No. 155356)
 4 CHRISTINE M. PAJAK,
 (CA State Bar No. 217173), Members of
 1901 Avenue of the Stars, 12th Floor
 5 Los Angeles, California 90067
 Telephone: (310) 228-5600
 6 Facsimile: (310) 228-5788
 Email: fmerola@stutman.com
ekarasik@stutman.com
aparlen@stutman.com

8 Counsel for the Official Committee Of
 Equity Security Holders Of USA Capital First Trust Deed Fund, LLC

SHEA & CARLYON, LTD.
 JAMES PATRICK SHEA
 (Nevada State Bar No. 000405)
 CANDACE C. CARLYON
 (Nevada State Bar No. 002666)
 SHLOMO S. SHERMAN
 (Nevada State Bar No. 009688)
 228 South Fourth Street, First Floor
 Las Vegas, Nevada 89101
 Telephone: (702) 471-7432
 Facsimile: (702) 471-7435
 Email: jshea@sheacarlyon.com
ccarlyon@sheacarlyon.com
ssherman@sheacarlyon.com

10 **UNITED STATES BANKRUPTCY COURT**
DISTRICT OF NEVADA

11 In re:	)	BK-S-06-10725-LBR
12 USA COMMERCIAL MORTGAGE COMPANY,	)	Chapter 11
13 Debtor.)	
14 In re:	)	BK-S-06-10726-LBR
15 USA CAPITAL REALTY ADVISORS, LLC,	)	Chapter 11
16 Debtor.)	
17 In re:	)	BK-S-06-10727-LBR
18 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	)	Chapter 11
19 Debtor.)	
20 In re:	)	BK-S-06-10728-LBR
21 USA CAPITAL FIRST TRUST DEED FUND, LLC,	)	Chapter 11
22 Debtor.)	
23 In re:	)	BK-S-06-10729-LBR
24 USA SECURITIES, LLC,	)	Chapter 11
25 Debtor.)	
26 Affects)	
27 <input type="checkbox"/> All Debtors)	
28 <input type="checkbox"/> USA Commercial Mortgage Co.)	
<input checked="" type="checkbox"/> USA Securities, LLC)	
<input type="checkbox"/> USA Capital Realty Advisors, LLC)	
<input type="checkbox"/> USA Capital Diversified Trust Deed)	
<input checked="" type="checkbox"/> USA First Trust Deed Fund, LLC)	

24 **NOTICE OF ENTRY OF ORDER APPROVING STIPULATION FOR WITHDRAWAL**
OF PROOFS OF CLAIM NUMBERS 123, 124 AND 125 FILED RESPECTIVELY BY
KANTOR NEPHROLOGY CONSULTANTS, LTD 401(K) PSP; DR. GARY KANTOR;
AND LYNN M. KANTOR (AFFECTS DEBTORS USA CAPITAL FIRST TRUST DEED
FUND, LLC)

27 PLEASE TAKE NOTICE THAT an Order Approving Stipulation for Withdrawal of
 28 Proofs of Claim Numbers 123, 124 and 125 Filed Resptctively by Kantor Nephrology

1 Consultants, Ltd. 401(k) Psp; Dr. Gary Kantor; and Lynn M. Kantor (Affects Debtors USA
2 Capital First Trust Deed Fund, LLC) was entered on the 31st day May, 2007, a true and correct
3 copy of which is attached hereto.

4 DATED this 31st day of May, 2007.

5 SHEA & CARLYON, LTD.
6 
7

8 JAMES PATRICK SHEA
9 CANDACE C. CARLYON
10 SHLOMO S. SHERMAN
11 233 South Fourth Street, Second Floor
12 Las Vegas, Nevada 89101
13

14 and
15

16 STUTMAN, TREISTER & GLATT, P.C.
17 FRANK A. MEROLA
18 EVE H. KARASIK
19 CHRISTINE M. PAJAK
20 1901 Avenue of the Stars, 12th Floor
21 Los Angeles, CA 90067
22
23
24
25
26
27
28



Entered on Docket
May 31, 2007

A handwritten signature in black ink, appearing to read "R. B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

STUTMAN, TREISTER & GLATT, P.C.
FRANK A. MEROLA
(CA State Bar No. 136934)
EVE H. KARASIK
(CA State Bar No. 155356)
CHRISTINE M. PAJAK,
(CA State Bar No. 217173), Members of
1901 Avenue of the Stars, 12th Floor
Los Angeles, California 90067
Telephone: (310) 228-5600
Facsimile: (310) 228-5788
Email: fmerola@stutman.com
ekarasik@stutman.com
aparlen@stutman.com

SHEA & CARLYON, LTD.
JAMES PATRICK SHEA
(Nevada State Bar No. 000405)
CANDACE C. CARLYON
(Nevada State Bar No. 002666)
SHLOMO S. SHERMAN
(Nevada State Bar No. 009688)
228 South Fourth Street, First Floor
Las Vegas, Nevada 89101
Telephone: (702) 471-7432
Facsimile: (702) 471-7435
Email: jshea@sheacarlyon.com
ccarlyon@sheacarlyon.com
ssherman@sheacarlyon.com

Counsel for the Official Committee Of
Equity Security Holders Of USA Capital First Trust Deed Fund, LLC

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:	)	BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY,	)	Chapter 11
Debtor.)	
In re:	)	BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,	)	Chapter 11
Debtor.)	
In re:	)	BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	)	Chapter 11
Debtor.)	
In re:	)	BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,	)	Chapter 11
Debtor.)	
In re:	)	BK-S-06-10729-LBR
USA SECURITIES, LLC,	)	Chapter 11
Debtor.)	
Affects		
<input type="checkbox"/> All Debtors)	
<input type="checkbox"/> USA Commercial Mortgage Co.)	
<input checked="" type="checkbox"/> USA Securities, LLC)	
<input type="checkbox"/> USA Capital Realty Advisors, LLC)	
<input type="checkbox"/> USA Capital Diversified Trust Deed)	
<input checked="" type="checkbox"/> USA First Trust Deed Fund, LLC)	

1 **ORDER APPROVING STIPULATION FOR WITHDRAWAL OF PROOFS OF CLAIM**
2 **NUMBERS 123, 124 AND 125 FILED RESPECTIVELY BY KANTOR NEPHROLOGY**
3 **CONSULTANTS, LTD 401(K) PSP; DR. GARY KANTOR; AND LYNN M. KANTOR**
4 **(AFFECTS DEBTORS USA CAPITAL FIRST TRUST DEED FUND, LLC)**

5 The Court having considered the "Stipulation For Withdrawal Of Proofs Of Claim
6 Numbers 123, 124 And 125 Filed Respectively By Kantor Nephrology Consultants, Ltd 401(K)
7 PSP; Dr. Gary Kantor; And Lynn M. Kantor" (the "Stipulation") entered into by and between,
8 the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC
9 ("FTDF Committee"), on the on hand, by and through its undersigned counsel, and Kantor
10 Nephrology Consultants, Ltd 401(K) PSP; Dr. Gary Kantor; And Lynn M. Kantor, on the other
11 hand, by and through their undersigned counsel and good cause appearing therefore:

12 IT IS HEREBY ORDERED THAT the Stipulation is approved.

13 IT IS FURTHER ORDERED THAT the Kantor FTDF Claims,¹ and only the
14 Kantor FTDF Claims, are hereby withdrawn from the FTDF bankruptcy case. Claimants'
15 withdrawal of the Kantor FTDF Claims shall in no way impact upon or prejudice any of the
16 Additional Kantor Claims filed against any of the Non-FTDF Debtors in their respective
17 bankruptcy cases or the Kantor DTDF Interests or the Lynn Kantor IRA FTDF Interest, all of
18 which claims and interests are specifically preserved.

19 IT IS FURTHER ORDERED THAT based on the covenant provided in
20 Paragraph 1 of the Stipulation, the Claimants shall not seek to re-file the Kantor FTDF Claims,
21 or any claims based on the same facts and circumstances as the Kantor FTDF Claims, in the
22 FTDF bankruptcy case and any such claims that are filed shall be deemed disallowed by this
23 Order.

24 IT IS FURTHER ORDERED THAT the Stipulation shall not alter, affect or
25 prejudice the Claimants' claims against other debtors in this jointly-administered proceeding.

26 IT IS FURTHER ORDERED THAT the deadlines to amend the Kantor FTDF
27 Claims (May 29, 2007), and to file the Supplemental Pleadings (June 6, 2007 and June 13, 2007)
28 are hereby vacated.

¹Defined terms used and not defined herein have the meanings set forth in the Stipulation.

1 IT IS FURTHER ORDERED THAT the hearing on the Kantor FTDF Claims
 2 Objections and the Supplemental Pleadings set for June 15, 2007 at 9:30 a.m. is hereby vacated.

3 IT IS FURTHER ORDERED THAT the Reserve Motion and the Interim Reserve
 4 Stipulation are now moot

5 IT IS FURTHER ORDERED THAT the hearing on the Reserve Motion and the
 6 Interim Reserve Stipulation set for June 15, 2007 at 9:30 a.m. is hereby vacated.

7

8 **SUBMITTED BY:**

9 STUTMAN, TREISTER & GLATT, P.C.

10

11 /s/ Eve H. Karasik
 EVE H. KARASIK
 12 ANDREW M. PARLEN
 13 1901 Avenue of the Stars, 12th Floor
 Los Angeles, CA 90067

14 and

15 SHEA & CARLYON, LTD.
 16 CANDACE A. CARLYON
 17 SHLOMO S. SHERMAN
 233 South Fourth Street
 Las Vegas, NV 89101

18
 19 *Counsel for the Official Committee of Equity
 Security Holders of USA Capital First Trust
 Deed, Fund, LLC*

20

21

22 **APPROVED/DISAPPROVED**

23 McGuireWoods LLP

24

25 /s/ Michael M. Schmahl
 MICHAEL M. SCHMAHL
 26 77 West Wacker Drive, Suite 4100
 Chicago, IL 60601-1818

27
 28 *Counsel for the Kantor Claimants*

5

6 **APPROVED/DISAPPROVED**

7 RAY QUINNEY & NEBEKER P.C.

8 /s/ Steven C. Strong
 ANNETTE W. JARVIS
 STEVEN C. STRONG
 36 South State Street, Suite 1400
 P.O. Box 45385
 Salt Lake City, Utah 84145-0385

9 and

10 SCHWARTZER & MCPHERSON LAW
 FIRM
 LENARD E. SCHWARTZER
 JEANETTE E. MCPHERSON

11
 12 *Counsel for USA Capital First Trust
 Deed Fund, LLC*

13

14 **REVIEWED**

15 OFFICE OF THE UNITED STATES
 TRUSTEE

16 /s/ August B. Landis
 AUGUST B. LANDIS
 300 Las Vegas Blvd. S., #4300
 Las Vegas, NV 89101

17
 18 *Counsel for the Office of the United States
 Trustee*

19 ###